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Security Council

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Statement by the President of the Security Council

At the 4679th meeting of the Security Council held on 20 December 2002, in continuation of its consideration of the item entitled "Protection of civilians in armed conflicts" at its 4660th meeting on 10 December 2002, the President of the Security Council made the following statement on behalf of the Council:

"The Security Council recalls its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict, as well as the statements by its President of 12 February 1999 (S/PRST/1999/6) and of 15 March 2002 (S/PRST/2002/6); welcomes the third report by the Secretary-General on the protection of civilians in armed conflict (S/2002/1300); and reaffirms the need to keep the protection of civilians in armed conflict as an important item on the Council's agenda.

"The Security Council strongly condemns all attacks and acts of violence directed against civilians or other protected persons under international law, including international humanitarian law, in situations of armed conflict; reaffirms its concern at the hardships borne by civilians in conflict situations, and the need for parties to ensure the safety, security and freedom of movement of United Nations and associated personnel as well as personnel of international humanitarian organizations. The Council recognizes that secure humanitarian access, a clear separation of civilians and combatants, and the swift re-establishment of the rule of law, justice and reconciliation are essential for an effective transition from conflict to peace.

"The Security Council calls upon all parties to armed conflict to comply fully with the provisions of the Charter of the United Nations and with the rules and principles of international law, in particular international humanitarian, human rights and refugee law, and to implement fully the relevant decisions of the Security Council. The Security Council recalls the obligations of States to respect and to ensure respect for international humanitarian law, including the four Geneva Conventions, and emphasizes their responsibility to end impunity and to prosecute those responsible for genocide, crimes against humanity and serious violations of humanitarian law.

"The Security Council underscores the importance of the aide-memoire adopted by the Council on 15 March 2002 (S/PRST/2002/6), as a practical tool that provides a basis for improved analysis and diagnosis of key protection issues during deliberations on peacekeeping mandates, and stresses the need to implement the approaches set out therein on a more regular and consistent *basis, taking into account* the particular circumstances of each conflict

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situation. The Council agrees to continue to review current mandates and resolutions, as appropriate, taking into consideration the aide-memoire, and expresses its willingness to update it annually to reflect emerging trends in the protection of civilians in armed conflict.

"The Security Council notes that a number of obstacles undermine efforts to secure access of humanitarian and United Nations agencies to persons in need, including attacks on humanitarian personnel, denial of access by authorities and a lack of structured engagement with non-State actors. In that respect, the Security Council recognizes the importance of the comprehensive framework agreements based on agreed standards and mechanisms to improve access; and encourages the ongoing work by United Nations agencies to prepare a manual of field practices of negotiations with armed groups to better assist coordination and to facilitate more effective negotiations.

"The Security Council is mindful of the particular vulnerability of refugees and internally displaced persons and reaffirms the primary responsibility of States to ensure their protection, in particular by maintaining the security and civilian character of camps of refugees and internally displaced persons. The Council underscores the rights of all refugees under international law, including international humanitarian law and refugee law. The Security Council notes that United Nations multidisciplinary assessment teams, with the consent of the host States, could assist and support States in the separation of combatants and civilians. The Council, moreover, recognizes the needs of civilians under foreign occupation and stresses further, in this regard, the responsibilities of the occupying Power.

"The Security Council acknowledges the emerging issues raised in the Secretary-General's report that could seriously affect the capacity of Member States to protect civilians. Regarding gender-based violence, including sexual exploitation, abuse and trafficking of women and girls, the Council encourages States, in particular troop-contributing countries, to use the six core principles developed by the United Nations and other humanitarian partners to prevent and remedy situations of sexual abuse and exploitation, when their nationals are involved in such cases. The Security Council, further, condemns terrorism in all its forms and manifestations, however and by whomever committed.

"The Security Council recognizes the importance of a comprehensive, coherent and action-oriented approach to the protection of civilians in armed conflict. It encourages further cooperation between Member States, OCHA, DPA, DPKO, UNHCR, UNRWA, OHCHR, UNDP and other relevant United Nations agencies and offices, bearing also in mind the contents of resolutions 1325 on women, peace and security and 1379 on children in armed conflict; welcomes the regional workshops and encourages Member States to give them their operational and financial support. The Security Council requests the Secretary-General to submit by June 2004 his next report on the protection of civilians in armed conflict, including information on the implementation of Security Council resolutions previously adopted on this subject and any other matter he wishes to bring to the attention of the Council. It also welcomes the oral briefings to be given to the Council every six months, including progress made to further develop the road map concept, as set out in the most recent report by the Secretary-General (S/2002/1300)."